

REMARKS

Claims 1-50 were pending in this application. Claims 1, 3, 7, 11, 16, 21, 24, 30, 31, 37, 46, 49, and 50 have been amended as indicated hereinabove. Claims 2, 17, 33-36, and 38-46 have been canceled without prejudice to the applicants' rights therein. Claims 1, 3-16, 18-32, 37, and 47-50 remain pending in this application, stand rejected, and are at issue herein.

Reconsideration of these claims in view of the foregoing amendments and following remarks and indication of the allowability thereof at an early date are respectfully solicited.

The Examiner has rejected claims 1, 4, 15-16, 18, 33-35, 38-40, and 46 under 35 U.S.C. §102(e) as being anticipated by Menzies et al. (U.S. Patent No. 6,317,748). This ground of rejection is believed to be overcome with regard to claims 1, 4, and 15 in view of the foregoing amendment to independent claim 1, and with regard to claims 16 and 18 in view of the foregoing amendment to independent claim 16. Further, this ground of rejection is believed to be moot with regard to claims 33-35, 38-40, and 46 in view of their cancellation without prejudice herein. Reconsideration of this ground of rejection with regard to claims 1, 4, 15-16, and 18 is therefore respectfully solicited in view of the foregoing amendments and following remarks.

As indicated hereinabove, independent claim 1 has been amended by incorporating the limitations from dependent claim 2. As such, and in view of the Examiner's admission that Menzies et al. '748 fails to teach the limitations of claim 2, the applicants respectfully submit that claim 1, as amended, is not anticipated by Menzies et al. '748. Additionally, claims 4 and 15 depend from amended claim 1. Therefore, the applicants respectfully submit that these claims are also not anticipated by Menzies et al. '748.

The applicants have also amended independent claim 16 to incorporate the limitations of dependent claim 17. As such, and in view of the Examiner's admission that Menzies et al. '748 does not teach these limitations, the applicants respectfully submit that claim 16 as amended is not anticipated by Menzies et al. '748. Claim 18 depends from amended claim 16. Therefore, the applicants respectfully submit that this claim is also not anticipated by Menzies et al. '748.

In view of the above, the applicants respectfully submit that claims 1, 4, 15-16, and 18 are not anticipated by Menzies et al. '748. Reconsideration of these claims and indication of their allowability at an early date are therefore respectfully solicited.

The Examiner has rejected claim 47 under 35 U.S.C. §102(e) as being anticipated by Johnson et al. (U.S. Patent No. 6,397,245). This ground of rejection is respectfully traversed.

Reconsideration of this ground of rejection and indication of the allowability of claim 47 in view of the following remarks are respectfully solicited.

Independent claim 47 requires, *inter alia*, providing a display having multiple panes. However, in asserting this ground of rejection the Examiner states that Johnson '245 discloses a user interface that supports "multiple display pages." While the applicants agree that Johnson discloses a system utilizing a user interface that supports multiple display pages, this is not what is required by independent claim 47. That is, each of the display pages of Johnson contain only a single pane on which information is displayed. Selecting any link on any particular page will cause an entirely new page to be displayed, also having only a single pane. This single pane display format does not provide the user with a context as is provided by the multi-pane display of the present invention.

That is, in accordance with independent claim 47, the method of providing and selecting management tasks and resources includes the displaying of a list of elements available for management in one of the panes, and displaying data relating to active index items in another of the panes upon selection of one of the elements of the list. In Johnson, however, the selection of one of the elements in a displayed list (a link) will result in an entirely new page having only a single pane displayed to the user. In order to see the list of elements available for management, the user would have to "go back" to the previous page. However, when the user goes back to the previous page, the user can no longer see the information or data related to the previously selected link.

In view of the above, the applicants respectfully submit that Johnson et al. '245 does not anticipate independent claim 47. Reconsideration of claim 47 and indication of its allowability at an early date are therefore respectfully solicited.

The Examiner has rejected claims 2-3, 17, 26-27, and 29 under 35 U.S.C. §103(a) as being unpatenable over Menzies in view of Fohn et al. (U.S. Patent No. 6,076,091). This ground of rejection is respectfully traversed. Reconsideration of this ground of rejection and indication of the allowability of claims 1 (now incorporating the subject matter of claim 2), 3, 16 (now incorporating the subject matter of claim 17), 26-27, and 29 in view of the foregoing amendments and following remarks are respectfully solicited.

Independent claims 1 and 16, as amended, each require, *inter alia*, that the at least one provider performs syntax and semantic checks on inputs received from the user. To meet this limitation the Examiner points to column 14, lines 45-67 of Fohn '091 wherein a semantic and level checking of the controllers are described. However, this section continues beyond that

quoted in the Office Action to state "the system will repeat the checking process for additional levels of controllers, if necessary (depending upon the system architecture). Once it has been determined at all controller levels that the request is semantically correct, ...". When the cited section is read in its entirety, it is clear that multiple semantic checks are performed throughout the various levels of the architecture. However, the applicants describe the problem associated with performing multiple syntax and semantic checks in the background section of the instant application beginning at page 5. As described in this background section, in addition to resulting in "a significant amount of redundancy" multiple syntax and semantics checks "can also lead to serious inconsistencies if any change is done in one place and not reflected in the other. The result is an increased cost of maintenance of the enterprise and an overall increase in the cost of ownership...".

Unlike the previous management model that required syntax and semantic checks to be performed at different locations in the architecture, the system of the present invention as claimed in independent claims 1 and 16 require that the provider perform the syntax and semantic checks on inputs received from a user and passed via the CIMOM. As described in the specification, this removes the requirement of performing multiple syntax and semantic checks throughout the architecture of the management model. As such, and reading Fohn et al. '091 in its entirety, the applicants respectfully submit that claims 1 and 16, and those claims dependent thereon, are not rendered obvious over Menzies et al. '748 in view of Fohn et al. '091.

The applicants' further respectfully submit that one having ordinary skill in the art at the time the present invention was made would not be motivated to combine the teachings of Menzies et al. '748 with Fohn et al. '091. This is because the management system of Menzies et al. '748 already includes semantic and syntax checking of inputs received from the user as described by the applicants in the background section of the instant application beginning at page 5. As such, adding additional semantic checks through all levels of the architecture as required by Fohn et al. '091 would add further layers of redundancy, and possible instances for errors to occur as described by the applicants in the background section.

As such, the applicants' respectfully submit that increasing the level of redundant checks would actually create a less reliable system, not a more reliable system as contended by the Examiner. Further, adding additional levels of semantic checks as required by Fohn et al. '091 would also reduce the throughput of the system as each of these redundant checks take a finite period of time to complete. As such, the applicants' respectfully submit that this combination of references is improper. Therefore, the applicants' respectfully submit that claims 1 (as amended),

3, 16 (as amended), 26-27, and 29 cannot be rendered obvious in view thereof. Reconsideration of these claims and indication of their allowability at an early date are therefore respectfully solicited.

The Examiner has rejected claims 5, 7, 19, and 21 under 35 U.S.C. §103(a) as being unpatentable over Menzies in view of Lei et al. (U.S. Patent No. 6,487,552). This ground of rejection is respectfully traversed. Reconsideration of claims 5, 7, 19, and 21 in view of the foregoing amendments and following remarks and indication of the allowability thereof are respectfully solicited.

Claim 5 depends ultimately from amended independent claim 1. It is therefore respectfully submitted that this claim 5 is in condition for allowance for the reasons stated above with regard to independent claim 1.

Claim 7 has been amended to independent form, but otherwise is unchanged in scope from that which was originally presented. The Examiner has rejected this claim based in part on "Official Notice" that it would have been obvious to one of ordinary skill in the art "to limit a user's access to certain data unless they are at a high enough level to effectively manage and utilize such data." However, the applicants are unaware of any management models wherein the "command method for getting help strings are exposed based on an expertise level contained in a user profile." As such, and in accordance with MPEP §2144.03, the applicants respectfully traverse this assertion of Official Notice and require that the Examiner support on the record this assertion or withdraw this ground of rejection.

Claim 7 requires that the command method for getting help strings are exposed based on an experience level contained in a user profile. As described in the originally filed specification, based on this experience level, the provider component may not show certain help features if it is determined that the user is a knowledgeable user, or may show additional help for each attribute on different pages for novice users. The applicants also describe that the experience level may be changed as appropriate so that nuisance help messages to a more experienced user are not displayed. None of this is taught or suggested by any of the references cited by the Examiner, and the applicants are unaware of any system that existed at the time the invention was made that utilizes any such feature.

Claim 19 depends from amended independent claim 16, and is therefore believed to be patentable for the reasons stated above with regard thereto.

Claim 21 has been amended to independent form, but otherwise remains of the same scope as originally filed. This claim requires, *inter alia*, that the command method for getting

help strings are exposed based on an experience level contained in the user profile. As with claim 7, the Examiner has relied on Official Notice to meet this limitation. However, as stated above, the applicants respectfully traverse this assertion of Official Notice, and request under MPEP §2144.03 that the Examiner support, on the record, this assertion of Official Notice.

In view of the above, the applicants respectfully submit that claims 5, 7, 19, and 21 are in condition for allowance. Reconsideration of these claims and indication of their allowability at an early date are respectfully solicited.

The Examiner has rejected claims 6, 14, 20, and 41-43 under 35 U.S.C. §103(a) as being unpatentable over Menzies. This ground of rejection is respectfully traversed with regard to claim 6, 14, and 20, and is respectfully submitted to be moot with regard to claims 41-43 in view of their cancellation without prejudice. Reconsideration of this ground of rejection and indication of the allowability of claims 6, 14, and 20 in view of the foregoing amendments and following remarks are respectfully solicited.

Claims 6 and 14 depend from amended independent claim 1, and are respectfully submitted to be in condition for allowance for the reasons stated above with regard to claim 1. Similarly, claim 20 depends from amended independent claim 16, and is therefore respectfully submitted to also be in condition for allowance for the reasons stated above with regard to independent claim 16.

The Examiner has rejected claims 8, 9, and 22 under 35 U.S.C. §103(a) as being unpatentable over Menzies in view of Antur et al. (U.S. Patent No. 6,243,815). This ground of rejection is respectfully traversed. Reconsideration of this ground of rejection and indication of the allowability of claims 8, 9, and 22 in view of the foregoing amendments and following remarks are respectfully solicited.

Claims 8 and 9 depend from amended independent claim 1, and are therefore respectfully submitted to be in condition for allowance for the reasons stated above with regard to claim 1. Claim 22 depends from amended independent claim 16, and is also respectfully submitted to be in condition for allowance for the reasons stated above with regard to independent claim 16.

The Examiner has rejected claims 10, 23, and 44-45 under 35 U.S.C. §103(a) as being unpatentable over Menzies in view of Arendt et al. (U.S. Patent No. 6,003,075). The applicants' respectfully traverse this ground of rejection with regard to claims 10 and 23, and submit that this ground of rejection is moot with regard to claims 44-45 in view of their cancellation without prejudice. Reconsideration of claims 10 and 23 in view of the foregoing amendments and following remarks and indication of allowability thereof are respectfully solicited.

Claim 10 depends from amended independent claim 1, and is therefore respectfully submitted to be in condition for allowance for the reasons stated above with regard to claim 1. Similarly, claim 23 depends from independent claim 16, and is therefore respectfully submitted to be in condition for allowance for the reasons stated above with regard to claim 16.

The Examiner has rejected claims 11-13, 24-25, and 50 under 35 U.S.C. §103(a) as being unpatentable over Menzies in view of Das et al. (U.S. Patent No. 6,493,688). This ground of rejection is respectfully traversed. Reconsideration of this ground of rejection and indication of the allowability of claims 11-13, 24-25, and 50 in view of the foregoing amendments and following remarks are respectfully solicited.

Claim 11 has been amended to independent form, but otherwise remains unchanged in scope from that which was originally presented in this application. Similarly, claim 24 has been amended to independent form, but otherwise remains unchanged in scope from that which was originally filed. Claim 50 has been amended to insert a missing conjunction, but otherwise remains unchanged in scope from that which was originally filed.

The Das et al. '688 reference was filed in the United States on November 16, 1999. While this reference also carries a foreign application priority date of November 16, 1998, this foreign priority date cannot be relied upon to establish this reference as prior art against the instant application. That is, the foreign priority date is a shield not a sword. As such, Das et al. '688 would only qualify as prior art under 35 U.S.C. §102(e). However, as evidenced by the declarations under 37 C.F.R. §1.131 submitted with the applicants' response to the previous Office Action, the applicants' respectfully submit that the Das et al. '688 reference was not "filed in the United States before the invention by the applicant for patent" as required by 35 U.S.C. §102(e). As such, the Das et al. '688 reference does not qualify as prior art under this section, and therefore cannot be used in combination with any other prior art reference to form an obviousness rejection under 35 U.S.C. §103. Therefore, the applicants' respectfully submit that this ground of rejection is improper, and should be removed.

In view of the above and the declarations under 37 C.F.R. §1.131 submitted in response to the last Office Action, which established a date of invention that is prior to November 16, 1999, and the applicants' diligence from the time prior to this date until the filing of the non-provisional application for patent on February 11, 2000, on which the instant application claims priority, the applicants respectfully submit that claims 11-13, 24-25, and 50 are in condition for allowance. Reconsideration of these claims and indication of the allowability thereof at an early date are therefore respectfully solicited.

The Examiner has rejected claim 28 under 35 U.S.C. §103(a) as being unpatenable over Menzies in view of Fohn and in view of Lei. This ground of rejection is respectfully traversed. Reconsideration of claim 28 and indication of its allowability at an early date in view of the foregoing amendments and following remarks are respectfully solicited.

Claim 28 depends ultimately from independent claim 26, and is therefore respectfully submitted to be patentable for the reasons stated above with regard to claim 26.

The Examiner has rejected claims 30 and 31 under 35 U.S.C. §103(a) as being unpatenable over Menzies in view of Fohn and in view of Das. This ground of rejection is respectfully traversed. Reconsideration of claims 30 and 31 in view of the foregoing amendments and following remarks are therefore respectfully solicited.

Claims 30 and 31 have each been amended to independent form, but otherwise remain unchanged in scope from that originally filed.

As discussed above, the applicants' prior declarations under 37 C.F.R. §1.131 established a date of invention earlier than the filing date of the Das reference, and established diligence from a time prior to the filing of the Das reference in the United States to the filing of the provisional application from which this application claims priority. As such, the Das reference cannot be applied as prior art against this application. Therefore, the applicants respectfully submit that claims 30 and 31 are in condition for allowance. Reconsideration of claims 30 and 31 and indication of their allowability at an early date are therefore respectfully solicited.

The Examiner has rejected claim 32 under 35 U.S.C. §103(a) as being unpatenable over Menzies in view of Fohn and in view of Arendt. This ground of rejection is respectfully submitted to be moot in view of the cancellation of claim 32.

The Examiner has rejected claim 36 under 35 U.S.C. §103(a) as being unpatenable over Menzies in view of Johnson. This ground of rejection is respectfully submitted to be moot in view of the cancellation of claim 36.

The Examiner has rejected claim 37 under 35 U.S.C. §103(a) as being unpatenable over Menzies in view of Johnson and in view of Das. This ground of rejection is respectfully traversed. Reconsideration of claim 37 and indication of its allowability in view of the foregoing amendments and following remarks are respectfully solicited.

Claim 37 has been amended to independent form, but otherwise remains identical in scope as originally filed.

As discussed above, the Das reference does not qualify as prior art to be cited against the claims of the instant application. As such, the applicants' respectfully submit that this ground of

In re Appln. of Kumbalimutt et al.
Application No. 09/502,689

rejection is improper and should be removed. Reconsideration and allowance of claim 37 is therefore respectfully solicited.

The Examiner has rejected claim 48 under 35 U.S.C. §103(a) as being unpatentable over Menzies in view of Stauber et al. (U.S. Patent No. 6,574,635). This ground of rejection is respectfully traversed. Reconsideration of this ground of rejection in view of the foregoing amendments and following remarks and indication of the allowability of claim 48 are therefore respectfully solicited.

Claim 48 depends from amended independent claim 1, and is therefore respectfully submitted to be patentable for the reasons stated above with regard to claim 1.

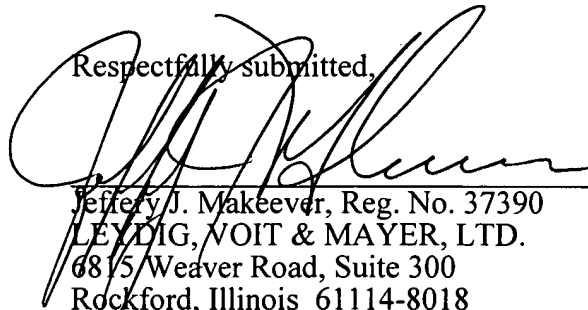
The Examiner has rejected claim 49 under 35 U.S.C. §103(a) as being unpatentable over Menzies in view of Fohn and in view of Stauber. This ground of rejection is respectfully traversed. Reconsideration of claim 49 in view of the foregoing amendments and following remarks and indication of the allowability of claim 49 are therefore respectfully solicited.

Claim 49 has been amended to depend from amended independent claim 16. As such, the applicants' respectfully submit that this claim is patentable for the reasons stated above with regard to claim 16. Reconsideration of claim 49 and indication of its allowability at an early date are therefore respectfully solicited.

In view of the above, the applicants' respectfully submit that claims 1, 3-16, 18-32, 37, and 46-50 are in condition for allowance. Reconsideration of these claims and indication of their allowability at an early date are respectfully solicited.

If the Examiner believes that a telephonic conversation will aid in the resolution of any issues not resolved herein, the Examiner is invited to contact the applicants' attorney at the telephone number listed below.

Respectfully submitted,



Jeffrey J. Makeever, Reg. No. 37390
LEYDIG, VOIT & MAYER, LTD.
6815 Weaver Road, Suite 300
Rockford, Illinois 61114-8018
(815) 963-7661 (telephone)
(815) 963-7664 (facsimile)

Date: April 28, 2004